

**CRIMINAL DOCKET
UNITED STATES DISTRICT COURT**

D. C. Form No. 100A Rev.

TITLE OF CASE	ATTORNEYS
THE UNITED STATES vs. Eutemio Hernandez	For U. S.: Ben Baker For Defendant: Ray Wilburn(Appt.) 584-6458 Beacon Bldg, Tulsa

STATISTICAL RECORD	COSTS	DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 2 mailed 4-20-70	Clerk				
J.S. 3 mailed 4-20-70	Marshal				
Violation Transporting Alien	Docket fee				
Title 8					
Sec. 1324(a)(2)					

DATE	PROCEEDINGS
4-7-70	Court appoints Ray Wilburn official interpreter in this case.(AEB-J)h
4-7-70	Defendant present in person and represented. Defendant waives Indictment, waiver signed, approved and filed in open court. Information filed. Defendant arraigned and enters plea of GUILTY as to Cts. 1,2,3 & 4, and is adjudged GUILTY as charged in Cts. 1,2,3 & 4.
	Judgment and Sentence- Eutemio Hernandez (34)
	Cts. 1,2,3 & 4- Probation for a period of
4-7-60	Four (4) years from this date, as to each account, concurrently.(AEB-J)h
4-7-70	Order of Probation filed & entered. (AEB-J)h
12-7-71	Two c.c of above delivered to Prob. Office. h
12-7-71	Order to issue Bench Warrant, filed. r
	Warrant for Arrest of Probationer issued. r
	1972
9-8-72	Revocation hearing set Tues, Sept. 12/at 3:00 P.M.(AEB-J)h

DATE	PROCEEDINGS
9-12-72	Hearing to show cause held. Statements made. It is ordered by the court that probation of the def. is not revoked, and probation is to continue.(AEB-J)h
9-14-72	Order of release, filed. (AEB-J)hm (2 c/c to U.S. Marshal)
9-25-72	Marshal's return of execution of warrant for arrest, filed. rm

UNITED STATES COMMISSIONER
NORTHERN DISTRICT OF OKLAHOMA

RECORD OF PROCEEDINGS IN CRIMINAL CASES

BEFORE Charles F. Burns

(Name of commissioner)

Miami, Oklahoma,

(Address)

COMMISSIONER'S
DOCKET No. 1 CASE No. 358
THE UNITED STATES
vs.

Eutemio HERNANDEZ

Complaint filed on 3-13-70, 19, by Harold M Harvey
Official title Senior Patrol Inspector charging violation of
United States Code, Title 8, Section 1324(a)(2) 3-12-70
19, at Miami, Okla in the Miami
division of the Northern district of Oklahoma
as follows: knowingly transport by automobile Fran-
cisco HERNANDEZ, born 1930, August 1, PLACENCIA AVALOS-JUAREZ,
regular in violation of law, from a point at or near
Crystal City, Texas to Miami, Oklahoma on March 12,
1970, knowing they were in the United States in viol-
ation of law and having reasonable grounds to believe
that their last entry into the United States occurred
less than 3 years prior thereto, and natives and citi-
zens of Mexico, not entitled to enter the United States
to work or reside.

WARRANTS OR SUMMONS ISSUED:

Date 3-13-70 Warrant/Summons for Eutemio HERNANDEZ

(Name of defendant)

to (name and title of officer) U. S. Marshal etc.

Substance of return Received March 13, 1970 at Miami, Okla and executed by arrest
of Eutemio HERNANDEZ at Miami, Okla on March 13, 1970.

Date Warrant/Summons for

to (name and title of officer)

Substance of return

FILED

MAR 24 1970

(Name of defendant)

PROCEEDINGS ON FIRST PRESENTATION OF ACCUSED TO COMMISSIONER:

Date 3-13-70 Arrested by Harold M. Harvey

Senior Patrol Inspector

M. M. EWING, CLERK
U. S. DISTRICT COURT Charles F. Burns
U. S. Commr. (Name of issuing officer)
without warrant.

Appearances

for United States

None

(Name)

(Address)

for accused

None

(Name)

(Address)

Proceedings taken Complaint filed and warrant issued. Defendant present in open court

without counsel. Complaint read to defendant. Defendant advised of charge against him and

if arrest is without warrant: "defendant informed of complaint and right to retain counsel and preliminary hearing": "preliminary examination waived,"
waive right to be represented by counsel at all states of the proceedings. Defendant

advised of his right to have a preliminary hearing and he waived the preliminary
hearing. Bond fixed at \$2500.00 and he was remanded to the custody of the U. S.
Marshal for further proceedings before the U. S. District Judge at Tulsa, Oklahoma,
in default of bond.

Outcome Bonded over to U. S. District Court at Tulsa, Oklahoma

Bail fixed 3-13-70, 19 Amount, \$ 2500.00 Bonded, 19, by cash
deposited by (name) Address
transmitted to clerk of district court, 19 [or] by surety
(name) Address
(name) Address, who
justified by affidavit dated, 19, [or] committed to Tulsa, Oklahoma
on 3-13-70, 19

SUBPOENAS FOR WITNESSES ISSUED:

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

_____, 19____, for (name of witness) _____
at request of (name of party) _____
Substance of return _____

PRELIMINARY EXAMINATION:

(Not to be used if case was disposed of at first presentation)

Date _____ Appearances for _____

{ United States (Name) _____
(Address) _____
Accused (Name) _____
(Address) _____

WITNESSES FOR UNITED STATES: (List names and addresses)

WITNESSES FOR ACCUSED: (List names and addresses)

Witness payroll containing _____ names certified to United States Marshal for payment _____, 19____
Proceedings taken _____

Outcome _____

Bail fixed _____, 19____ Amount, \$ _____ Bonded _____, 19____, by cash
deposited by (name) _____ Address _____
transmitted to clerk of district court _____, 19____
[or] by surety (names) _____ Address _____
and _____ Address _____
who justified by affidavit _____, 19____ Committed to _____
on _____, 19____

Certified to be a correct transcript.

Made this 23 day of March, 19 70

Transmitted to Clerk of United States District Court for the Northern
district of Oklahoma March 23, 19 70

Charles F. Burns

United States Commissioner.